

Q&A with the leadership*

Q. Your decision not to hold a simple Yes/No ballot for the deal on pay and Sunday working has caused many members to question how well you understand what it means to be in a union. Some drivers have publicly declared that they will leave because of your unprincipled and opportunistic action. How would you reply to those people?

A. “If they don’t like the deal they can opt-out.”

Q. But they are not discussing the merits or otherwise of the deal, this is a more fundamental questioning of your commitment to trade union principle. This is a novel and divisive way for a union to reach a decision. The members know that, hence the motions from Derby and Nottingham branches calling for a 50%+1 type ballot. Why did you choose to do it this way? Was it because you decisively lost the previous ballot that was conducted the right way?

A. “These talks have been going on for a long time. If the members had wanted a 50%+1 ballot they should have put in motions to the EC calling for that months ago.”

Q. We’ve always made these decisions on a simple majority vote, you yourselves even conducted the straw poll as a straight Yes or No. It never occurred to us that you would propose something that would split the grade or that you would get EC support for it. How could we have known in advance that you were going to conduct the second ballot as opt-in opt-out?

A. “The EC has made its decision to accept the offer and it can’t be looked at again until it sits next at the end of May. I think you can consider the opt-in opt-out a more mature decision making process.”

Q. More mature? It is unprecedented! How do you judge maturity, is it whatever is likely to favour your side of the argument? And this thing about the timing of the EC has a, convenient for some, ring to it. Recall during the pension dispute in 2012 when branches had sent motions to the EC calling for strike days to be put on during the Olympics? The negotiating team then decided to put a revised offer to the EC and somehow the EC found the means, between scheduled sittings, of making a decision to suspend the action but it couldn’t act at the same time on what the branches were telling them: this had to wait until the next scheduled EC sitting by which time the Olympics were over. It seems like the rules can be bent when it suits the leadership.

How about favouring the membership for a change? What do EC members do between sittings? Is there really no way for the union to deal with situations that arise between EC sittings?

A. “Strictly by rule the EC should have accepted the deal over the table as it all complies with charter. But they are looking for a deal that allows those who are strongly against to opt out.”

Q. What, you're trying to make out that the EC is doing us a favour? Unbelievable. When have we ever made concessions on how we conduct ballots? It is always a simple majority that decides, nobody gets to opt-out/in. We understand that union policy as expressed in the charter has to be upheld but we think it is more important that the union upholds trade union principle to maintain a collective decision making process. And anyway, these two things are not mutually exclusive: having a 50%+1 vote does not mean the deal can't happen.

Are you really telling us that those motions from branches have no weight? It is not like we are trying to change any aspect of the deal at this stage, all we are asking for is a say in whether we accept it or not rather than just be given a get out clause because somebody else has accepted it on our behalf: so much for a members led union. Are you happy to split the driving grade along the line of who is/isn't prepared to stand up for unity and trade union principle?

A.

* The text in quotes is either the substance and spirit of what ASLEF DFC and national representatives said at a recent union branch meeting or verbatim from their posts on social media.

Force a 50%+1 ballot or opt-out to defend union principles

As far as the deal itself goes there are lots of unknowns. One big one is how the DfT will respond if not enough drivers opt-in. Some say they might force it through, others that they might just lower the threshold and muddle along until enough new starters have been taken on with committed/in the working week Sundays as part of their contract. Or maybe any failure to recruit enough drivers in time will be made up by just extending the committed period after 3 years: after all the principle will be established and a court would probably rule in their favour on this. One thing is for sure though, if that scenario panned out then our ability to resist it would be severely weakened because a lot of drivers will have opted out.

Remember that saying, divide and conquer? That is what the union is offering us with the way they are asking us to decide on this deal. The required number of opt-ins may be achieved but only because some members will be pressured into it to avoid a possible hostile working environment further down the line, surely we don't want this? To preserve unity and possibly even get a better deal we have two possibilities: firstly, get the EC to immediately consider the motions from Derby/Notts and give us a 50+1 ballot: failing that, in a couple of weeks we should all opt-out and hope that enough follow suit so that the level of muddling along required to make it work will be unacceptable to the DfT. Hopefully then we can drag the union leadership back to acting like it should with a proper democratic decision making process that we can all unite behind.